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May 25, 2018

By ECF

Honorable Vernon S. Broderick
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Ng Lap Seng, S5 15 Cr. 706 (VSB)

Dear Judge Broderick:

We write pursuant to Your Honor's order of May 21, 2018 concerning Mr. Ng's request that the Court order self-surrender directly to the designated facility for service of his sentence. We have conferred with Guidepost and the government in this regard. Guidepost has provided a plan deliver Mr. Ng securely to FCI Allenwood in Allenwood, PA or another facility within similar driving distance of his residence in New York City. The details of the plan are as follows:

Guidepost officers will depart Mr. Ng's residence with Mr. Ng at 6:00 a.m. Mr. Ng will be scanned and searched for weapons before departure. He will be wearing his electronic monitoring bracelet unless the Court or Pretrial directs that the bracelet be removed before departure.

Guidepost's security detail will comprise five former law enforcement officers with arms and handcuffs.

Guidepost will utilize two vehicles. The first (Lead) vehicle will contain three armed security professionals: the driver together with two other officers in the rear seat with Mr. Ng, one on each side of him. This vehicle will be searched for weapons before departure. The second (Trail) vehicle will contain two armed security professionals. It will follow the Lead vehicle to provide additional security and a back-up vehicle. It will also conduct counter-surveillance throughout the trip.

Guidepost will plan a primary route and alternate routes. Those routes will not be disclosed to anyone outside the security detail. There will be no planned stops during the trip.

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Guidepost plans to use local law enforcement facilities along or near the primary route as emergency shelter or confinement if necessary.

Mr. Ng will remain in the Lead vehicle throughout the trip unless there is an emergency that requires his leaving the Lead vehicle. If Mr. Ng must leave the vehicle in an emergency, he will always be escorted by at least three armed security professionals.

Guidepost will have additional security professionals and vehicles on standby in New York for emergency response along the route in the morning of July 10, 2018. It will also utilize 911 and hospitals as appropriate.

Guidepost plans to arrive at the facility by 10:00 a.m. on July 10, 2018. It will enter onto the facility premises pursuant to federal law, and deliver Mr. Ng to Federal of Bureau of Prisons ("BOP") officials pursuant to BOP rules and regulations. The security detail will depart after Mr. Ng is in BOP custody.

The government has indicated to us that it does not object to Mr. Ng's self-surrender directly to the designated facility pursuant to the above-stated plan, provided the facility is within one day's driving distance, and provided that the Court both (1) so-orders the plan described by Guidepost above, and (2) also so-orders the following additional conditions. (The government has informed us that it objects to Mr. Ng's surrender directly to a facility that is more than one-day's driving distance from Manhattan or that requires a plane flight). The government's additional requested conditions for self-surrender are as follows:

The defendant's GPS bracelet will be charged prior to the trip commencing, and will remain on during the entirety of the trip. The GPS bracelet will be removed only by BOP personnel once the defendant is in BOP custody.

Guidepost is authorized to use all reasonable force as may be necessary to retain custody of the defendant and to transfer him safely and securely to the BOP.

The makeup of the Guidepost security team will not be shared in advance with the defendant or any third-party.

A certified interpreter, whose identity will not be made known to the defendant in advance, will be present during the trip. This interpreter may be in the Trail vehicle.

Guidepost will provide to the Government the cellphone numbers of two officers present during the trip, so that the Government may communicate with Guidepost as warranted.

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Guidepost will promptly report to the Government any deviation from its plan or the other conditions set forth herein or any material delay in transporting the defendant to the BOP.

Guidepost will promptly report to the Government once the defendant is in BOP custody.

The defendant is not permitted to use a cellphone or other communication device the morning of or during the trip, nor is the defendant permitted otherwise to communicate with a third-party during the trip.

Given the foregoing, we respectfully request that the Court order that Mr. Ng self-surrender to his designated facility pursuant to the foregoing conditions, on July 10, 2018 by 2:00 pm, provided the designated facility is within one-day's driving distance from New York City; otherwise he will surrender directly to the U.S. Marshall's Service.

Respectfully Submitted,

KIRKLAND & ELLIS LLP

By: /s Andrew M. Genser
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cc: Counsel of Record

SO ORDERED

Hon. Vernon S. Broderick
United States District Court
Southern District of New York